

REMARKS

Reconsideration and re-examination is respectfully requested in view of the above amendments and below remarks.

Rejections under 35 U.S.C. §103

Claims 1-4, 6-0, 22-35, 37-47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lehr et al. (U.S. Patent 6,643,566) hereinafter Lehr, in view of Kamioka et al (U.S. Patent 5,990,577), hereinafter Kamioka.

Lehr:

Lehr describes a system for generating, delivering and distributing electrical power to network elements over a data communications network. Lehr states, at column 6 lines 56-59: “... Electrical power may be combined with the data communication signals in a device termed a power/data combiner. The combined power/data signal is transmitted over standard LAN cabling...”

In Figure 3 Lehr shows that the power that is provided to the combined power/data signal is provided by power supply 184.

Kamioka

Kamioka describes a construction of a power supply that drives signal processing logic in a hub to allow the hub to maintain its function even when power failure occurs. (Kamioka, col. 1, lines 15-16). In particular, Kamioka describes, at column 4, lines 3-7:

“... The power supply circuit 10 is connected with an external ac power supply and provides a rectified and stabilized dc power to the other circuits of the hub 1. The power supply circuit 10 also includes a backup power supply circuit...”

The signal processing circuit performs primary functions of repeating the transmitted signal among nodes in the network and reshaping the signal. The backup power supply circuit is described at column 4 lines 42-46:

“... In the power supply circuit 10, a lead acid battery is typically employed as a backup secondary battery 13. A charging circuit 14 for trickle charging the secondary battery 13 is connected to the +15v output terminal of the ac/dc converter 11....”

In contrast the claimed invention, as amended, highlights the use of the electrochemical power supply of the present invention to provide assistance to the primary power source when the primary power source is able to provide only a portion of the power needed to drive the combined power/data links, a feature described on pages 9-10 of Applicant's specification.

Applicant's Argument

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Applicant's respectfully submit that the combination of references fail to support an obviousness rejection for at least the reason that the combination of references fails to disclose or suggest every limitation of the claims.

For example, claim 1, as amended, now recites "... a primary power supply in the central networking device; ... an electrochemical power source in the central networking device ... *discovery logic* for discovering member network devices that are capable of accepting power over a combined power/data link and *for determining a threshold power level for supporting discovered member devices that are capable of receiving power from combined power/data links*; and ... a network interface configured to communicate with a plurality of discovered member network devices via a combined power/data link, the combined power/data link including at least one wire configured to deliver both power ... *wherein the electrochemical power source is configured to assist the primary power supply to the discovered member network devices when the primary power supply is able to deliver only a portion of the threshold power level to the plurality of discovered member network devices...*"

No mention or suggestion is found in Lehr, Kamioka or the combination thereof of any mechanism that 'discovers' a threshold power level and uses electrochemical assist when the primary power source is able to provide only a portion of the threshold power level.

Accordingly, for at least the reason that the combination of references fails to describe or suggest the limitations of the claimed invention, it is requested that the rejection be withdrawn.

Each of Applicant's independent claims has been amended to include limitations similar to those described above with regard to claim 1. For example, independent claims 16 and 46 each recite network logic/devices configured to "... discover which of the plurality of member

network devices are capable of receiving power on combined power/data links” and “determine a threshold power level for powering a plurality of discovered member devices capable of receiving power on combined power/data links...” In both claims 16 and 46, an electrochemical power source is configured to “assist a primary power supply that powers the combined power/data links when the primary power supply is able to provide only a portion of the threshold power level to the plurality of discovered member network devices...” Claim 17 includes similar limitations as those recited in claim 16. Claim 32 as amended now recites “...*discovering* at least one member network device capable of accepting power over the local area ... and ... providing assist power, from energy stored by an electrochemical power source in the central network device, to the at least one selected member network device via the combined power/data link in the event that a primary power supply is able to provide only a portion of power required by the at least one member network device...” Claim 47 includes the limitation of “...delivering power stored by the electrochemical power source to at least one member device of the plurality of member network devices via at least one of the combined power/data links of the plurality of power/data links *to assist the primary power when the primary power is able to provide only a portion of the power for the combined power/data links...*” Accordingly it can be seen that each of the independent claims includes limitations that are not found in the prior art, alone or in combination. For at least this reason it is requested that the rejection of claim 1, 16, 17, 32, 46 and 47 be withdrawn.

13, 29, 43

Dependent claims 2-12, 14, 15, 18-28, 30, 31, 33-42, 44 and 45 serve to add further patentable limitations to their parent independent claims, but are allowable for at least the same reason as their parent claims.

Conclusion

The Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

1/22/2007 _____
Date

/Lindsay McGuinness/ _____
Lindsay G. McGuinness, Reg. No. 38549
Attorney/Agent for Applicant(s)
McGuinness & Manaras LLP
125 Nagog Park
Acton, MA 01720
(978) 264-6664

Docket No. 120-235